

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<p>ANALYTICAL TECHNOLOGIES, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>AMERICAN DAIRY QUEEN CORPORATION,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">CASE NO. 2:24-cv-00445-JRG</p> <p style="text-align: center;">(LEAD CASE)</p>
<p>ANALYTICAL TECHNOLOGIES, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>STARBUCKS CORPORATION,</p> <p style="text-align: center;">Defendant</p>	<p style="text-align: center;">CASE NO. 2:24-cv-00448-JRG</p> <p style="text-align: center;">(MEMBER CASE)</p>

**STARBUCKS CORPORATION’S OPPOSED MOTION FOR EXPEDITED BRIEFING  
ON STARBUCKS CORPORATION’S MOTION TO COMPEL (DKT. NO. 93) AND  
OPPOSED MOTION FOR HEARING ON MOTION TO COMPEL (DKT. NO. 94)**

Pursuant to Local Rule CV-7(e), Defendant and Counterclaim Plaintiff Starbucks Corporation (“Starbucks”) moves for an order expediting the briefing on Starbucks’ Opposed Motion to Compel Discovery Responses and for Attorneys’ Fees Pursuant to Rule 37 (Dkt. No. 93) and Starbucks’ Opposed Motion for Hearing on Starbucks’ Motion to Compel Responses and Attorneys’ Fees Pursuant to Rule 37 (Dkt. No. 94).

On February 14, 2025, Starbucks filed its Motion to Compel Discovery Responses and for Attorneys’ Fees Pursuant to Rule 37 (“Motion to Compel”) (Dkt. No. 93). Concurrently therewith, Starbucks filed its Opposed Motion for Hearing on Starbucks’ Motion to Compel Responses and Attorneys’ Fees Pursuant to Rule 37 (“Motion for Hearing”) (Dkt. No. 94). Plaintiff Analytical

Technologies, LLC's ("AT") deadline to file its Response in Opposition to Starbucks' Motion to Compel ("Response to Motion to Compel") and Response in Opposition to Starbucks' Motion for Hearing ("Response to Motion for Hearing") is February 28, 2025. At this time, Starbucks respectfully requests that the Court expedite the briefing on the Motion to Compel and Motion for Hearing and order that AT's responses to the Motion to Compel and Motion for Hearing are due on or before February 19, 2025.

Starbucks represents that good cause exists for the relief requested in this Motion. As the Court is aware, the Court set Counterclaim Defendant Leigh M. Rothschild's ("Mr. Rothschild") Motion to Dismiss Counterclaims 1, 2, 3, and 4 Directed at Him [Dkt. No. 52] ("Motion to Dismiss") (Dkt. No. 86) for hearing on February 24, 2025. In Starbucks' Motion for Hearing, Starbucks requests that its Motion to Compel be heard at the February 24, 2025, hearing. This expedited briefing schedule will ensure that the briefing on Starbucks' Motion to Compel and Motion for Hearing is concluded in advance of the Court's February 24, 2025, hearing.

Counsel for Starbucks met and conferred with counsel for AT, and counsel for AT indicated that it is opposed to the relief sought in this Motion.

Accordingly, Starbucks respectfully requests that the Court grant this Opposed Motion and order that AT file its responses to Starbucks' Motion to Compel and Motion for Hearing on or before February 19, 2025.

Dated: February 14, 2025

Respectfully submitted,

/s/ Rachael Lamkin

Melissa R. Smith  
Texas Bar No. 24001351  
**GILLAM & SMITH, LLP**  
303 South Washington Avenue  
Marshall, Texas 75670

Telephone: (903) 934-8450  
Facsimile: (903) 934-9257  
Email: melissa@gillamsmithlaw.com

Rachael Lamkin  
**BAKER BOTTS L.L.P.**  
101 California Street  
Suite 3200  
San Francisco, California 94111  
Telephone: (415) 291-6264  
Facsimile: (415) 291-6364  
Email: rachael.lamkin@bakerbotts.com

*Counsel for Starbucks Corporation*

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Starbucks met and conferred with counsel for AT to discuss the substantive relief sought in this Motion pursuant to Local Rule CV-7(h). Counsel for AT indicated that AT is opposed to the relief sought in this Motion.

/s/ Rachael Lamkin

Rachael Lamkin

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this February 14, 2025.

/s/ Melissa R. Smith

Melissa R. Smith